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DEP'S REF
Room 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

2005 JUS-6 11:11

STRATTON et al.

Atty. Ref.: 34-105

Serial No. 09/744,664

TC/A.U.: 3752

Filed: September 18, 2000

Examiner: Kim, Christopher

For: A ROTARY DEVICE FOR TRANSMISSION OF MATERIAL IN
PARTICULATE FORM

* * * * *

January 4, 2005

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

REQUEST FOR REFUND

It is respectfully requested that the two month extension fee of \$420.00 paid with the Response filed October 2, 2003 be refunded to the undersigned on the basis of the following:

An Official Action was issued by the Examiner identifying this application on May 30, 2003.

On review, it was discovered that the Examiner's Action did not address the specification and claims filed by the undersigned and a Request/Petition for the Office Action to be withdrawn was filed on June 10, 2003. When no Decision on that Petition was timely forthcoming and to ensure that the application would not become abandoned pending a Decision on the Petition, the undersigned filed a response on October 2, 2003 together with a two month extension of time. At that time, it was requested that the extension fee paid be refunded in the event the Petition was granted. On information and belief, the October 23, 2003 response was never entered

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STRATTON et al.
Serial No. 09/744,664

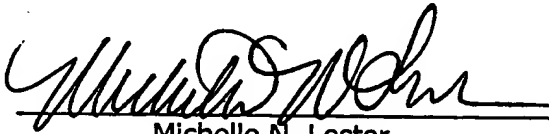
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in the subject file pending a Decision on the Petition. On December 10, 2004, a Decision was rendered on the undersigned's Petition, granting the June 10, 2003 Petition and vacating the Examiner's Office Action. Thus, no response to the Examiner's Official Action was required and the extension fee paid should be refunded to the undersigned.

It is respectfully requested that the requested refund be granted by credit to the undersigned's Deposit Account No. 14-1140 under Order No. 34-105, referencing this application. Should there be any questions in regard to this refund request, please contact the undersigned at the number indicated below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Michelle N. Lester
Reg. No. 32,331

MNL:slj
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 34-105
C# M#

STRATTON et al.

Serial No. 09/744,664

Filed: September 18, 2000

Group Art Unit: 3752
Examiner: Kim, Christopher

Date: October 23, 2003

Title: A ROTARY DEVICE FOR TRANSMISSION OF MATERIAL IN PARTICULATE
FORMCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RECEIVED

OCT 29 2003

TECHNOLOGY CENTER R3700

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment	13	minus highest number			
previously paid for	20	(at least 20) =	0	x	\$ 18.00
					\$ 0.00

Independent claims after amendment	3	minus highest number			
previously paid for	3	(at least 3) =	0	x	\$ 86.00
					\$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)	\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)	\$ 420.00
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Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)	\$ 0.00
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<input type="checkbox"/> Please enter the previously unentered	filed
--	-------

<input type="checkbox"/> Submission attached	
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Subtotal \$ 420.00

If "small entity," then enter half (1/2) of subtotal and subtract	-\$ 0.00
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<input type="checkbox"/> Applicant claims "small entity" status.	<input type="checkbox"/> Statement filed herewith
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Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
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Assignment Recording Fee (\$40.00)	\$ 0.00
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Other:	0.00
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TOTAL FEE ENCLOSED \$ 420.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYTE P.C.
By Atty: Michelle N. Lester, Reg. No. 32,331

Signature: 

Repln. Ref: 04/27/2005 SDIRETA1 0014363700
DAH: 141140 Name/Number: 09744664
FC: 9204 \$110.00 CR

Repln. Ref: 04/27/2005 SDIRETA1 0014361300
DAH: 141140 Name/Number: 09744664
FC: 9204 \$310.00 CR

Adjustment date: 04/27/2005
10/27/2005
01 FC: 1253
SDIRETA1 00000031
09/44664
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